

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LEISURE DIRECT, INC.,

Plaintiff,

- against -

GLENDALÉ CAPITAL, LLC, GEORGE LASAKO,
JOE LONGO, and DAVID PARSONS,

Defendants.

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MATSUMOTO, United States District Judge:

NOT FOR PUBLICATION

ORDER ADOPTING REPORT
AND RECOMMENDATION

05-CV-4473 (KAM) (JO)

This matter is before the court for review of the Report and Recommendation ("R&R") of Magistrate Judge James Orenstein, dated July 27, 2010 (ECF No. 83), recommending that the court grant plaintiff a default judgment in the amount of \$262,500.00 on its breach of contract claim against defendant Glendale Capital, LLC ("Glendale"), and that plaintiff's remaining claims against Glendale and all claims against defendant Joe Longo be dismissed.¹ The Report and Recommendation is made in accordance with 28 U.S.C. § 636 and Local Civil Rule 72.1, and it called for any objections to be filed by August 17, 2010. (*Id.* at 13.) To date, no objection has been filed.

In reviewing a Report and Recommendation, the district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28

¹ On May 24, 2007, judgment in plaintiff's favor was entered against defendant David Parsons in the amount of \$1,264,665.00 (ECF No. 60, Clerk's Judgment.)

U.S.C. § 636(b)(1)(C). Where, as here, no objection to the R&R has been filed, the district court "need only satisfy itself that that there is no clear error on the face of the record." *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (citation and quotation marks omitted); accord Fed. R. Civ. P. 72 advisory committee's notes (1983) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.") (citations omitted).

Upon a careful review of the pleadings, parties' submissions and history of this action, familiarity with which is presumed, and Judge Orenstein's thorough R&R, the court finds no clear error in the Report and Recommendation and adopts it as the opinion of the court. Accordingly, the Clerk of the Court is respectfully directed to enter judgment in plaintiff's favor against defendant Glendale in the amount of \$262,500.00 on Glendale's breach of contract claim. Plaintiff's remaining claims against Glendale and all claims against defendant Longo are dismissed with prejudice. Because there are no remaining claims or defendants, the Clerk of the Court is further directed to close this case.

Plaintiff shall serve a copy of this order on defendants
Glendale and Longo by certified mail, and shall file proof of
service via Electronic Case Filing by September 22, 2010.

SO ORDERED.

Dated: Brooklyn, New York
September 20, 2010

_____/s/_____
KIYO A. MATSUMOTO
United States District Judge
Eastern District of New York